

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

EUROSEMILLAS, S.A.,

Plaintiff,

v.

PLC DIAGNOSTICS, INC., et al.,

Defendants.

Case No. 17-cv-03159-MEJ

DISCOVERY ORDER

Re: Dkt. Nos. 99, 100

On August 17, 2018, the parties submitted two joint letter briefs outlining their discovery disputes. First Ltr. Br., Dkt. No. 99; Second Ltr. Br., Dkt. No. 100. In the first letter brief, Defendant and Counterclaimant PLC Diagnostics, Inc. (“PLC”) asks the Court to compel Plaintiff and Counterdefendant Eurosemillas, S.A. (“Eurosemillas”) to respond to three sets of discovery requests (PLC’s Second Set of Interrogatories, Second Set of Requests for Production of Documents, and First Set of Requests for Admissions). Dkt. No. 99 at 2-4. In the second letter brief, Defendants (PLC; National Medical Services, Inc. (also a Counterclaimant); LDIP, LLC; Reuven Duer; and Eric Rieders) ask the Court to compel Mohan Uttarwar (“Uttarwar”) (former CEO and member of the board of directors of iNDx Lifecare, Inc.) to produce documents requested in a July 27, 2018 subpoena. Dkt. No. 100 at 2-4. In responding to the requests, Eurosemillas and Uttarwar do not dispute the discoverability of the information sought. *See* Dkt. Nos. 99, 100. Instead, both contest providing discovery at this time (or at all) because the parties are currently engaging in settlement discussions regarding this case, and Eurosemillas and Uttarwar argue production is not necessary unless and until the parties fail to reach an agreement.¹

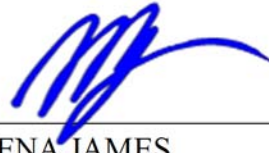
¹ Eurosemillas requests that its responses and production “be due within 14 days from the date that the mediator terminates settlement negotiations because the parties have reached an impasse.” Dkt. No. 99 at 4. Uttarwar, stating he must review thousands of emails before he can produce responsive documents, requests that his responsive

Dkt. No. 99 at 3-4; Dkt. No. 100 at 4.

The Court encourages the parties to continue their settlement discussions. If, however, by October 3, 2018 the parties fail to reach a settlement or settlement negotiations break down, the Court **ORDERS** Eurosemillas and Uttarwar to respond to the requests and produce responsive documents by October 17, 2018.

IT IS SO ORDERED.

Dated: August 22, 2018



MARIA-ELENA JAMES
United States Magistrate Judge

documents “be due within 30 days from the date that the mediator terminates settlement negotiations because the parties have reached an impasse.” Dkt. No. 100 at 4.